

MEMORANDUM FOR: Director of Personnel

31 JAN 1985

FROM:

[redacted]
Chief, Position Management
and Compensation DivisionVIA: Deputy Director for Policy,
Analysis and EvaluationSUBJECT: Premium Pay in Lieu of Hourly Overtime Pay
for Administratively Uncontrollable OvertimeREFERENCE: A. Memo for D/OP fm DDA, dtd 11 Jan 85
Subj: Action Items [redacted]
B. Memo for D/OP fm C/PMCD, dtd 2 Oct 84
Subj: Overtime Policy

This memorandum is in response to the Deputy Director for Administration's (DDA) reference A request for a premium pay proposal for Directorate of Operations (DO) officers overseas to compensate for overtime, and for additional occupational categories for which special pay schedules are needed. Each action item is addressed separately. (U)

A. Premium Pay

1. With regard to premium pay, reference B (attached) is a proposal to expand the use of Premium Pay for Administratively Uncontrollable Overtime (AUO) for DO officers. As described in the memorandum, this form of premium pay is routinely used by the Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), Secret Service and Immigration and Naturalization Service (INS) for their law enforcement personnel. The premium pay is available to them under Title 5 of the US Code and is based on the average number of overtime hours worked weekly. Under Title 5, an employee working 3 to 5 hours gets 10 percent premium pay; 5 to 7 hours gets 15 percent; 7 to 9 hours gets 20 percent; and over 9 hours gets 25 percent. All payments are computed on actual base pay rates, or the rate for GS-10/1, whichever is lower. The Agency has adopted AUO provisions in its regulations [redacted]. Currently, the Office of SIGINT Operations (OSO) and the Office of Technical Service (OTS) in the Directorate of Science and Technology (DS&T); Latin America Division in the DO; and the Office of Communications (OC) and the Office

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25X1 of Security (OS) in the DA have personnel receiving AUO. OTS has
authorization for Technical Operations Officers in all overseas stations,
25X1 Special Activities Division at Headquarters to receive
AUO. At overseas stations, AUO is certified and paid quarterly to those
officers who have spent more than 33 percent of their time TDY in a
reporting period and who have met the required average overtime hours.
Officers at Headquarters receive AUO only when on temporary
duty (TDY) and working the required overtime hours. During the last
quarter, only 21 officers qualified for AUO, and all were stationed
overseas. (S)

2. AUO adopted on a wide scale within the Agency would present some
significant record keeping problems. Because of its cost (estimated at
\$5 million annually for overseas case officers, assuming approximately
eligible overseas officers receiving the maximum 25 percent of GS-10/1),
AUO tends to become a target for the Office of Management and Budget (OMB)
and Congressional cost cutting. The FBI has been able to sustain their
program only through maintenance of detailed Time and Attendance (T&A)
reports which they use to show the cost savings AUO provides over hourly
overtime payments. To introduce this type of rigorous T&A reporting into
the field will be difficult both from a process standpoint and individual
self-discipline on the part of employees. Under our current ETAR T&A
procedures, we cannot account for AUO hours without major system
modifications. The Office of Data Processing (ODP) advises that the most
expeditious means of handling such a program currently would be to report
AUO hours by separate cable and to maintain records under a RAMUS or NOMAD
system. If we opt for the AUO approach, the new payroll system scheduled
to come on line in 1987 can be designed to incorporate AUO reporting
requirements. (S)

3. There are other options which could be considered in addition to
AUO. Under the Foreign Service Act, which prohibits payment of overtime
to Foreign Service Officers, the Secretary is authorized to pay a Special
Allowance. The allowance is authorized to be paid only through the FS-4
(GS-11/12) level. Under this provision of law, the Department of State
has identified three categories of positions qualifying for the
allowance: those positions requiring 55 hours or more of work per week
over a six month period are authorized 18 percent allowance; those
positions requiring 45 hours per week and a rotating shift schedule over a
six month period are authorized 13 percent; and those positions requiring
50 percent of the work schedule between 6 PM and 6 AM or on Sundays and
holidays are authorized 10 percent. If the Agency were to adopt this
provision of the Foreign Service Act, officers to the GS-12 level could
receive the allowance by the Chief of Station certifying periodically that
certain positions (not employees) fall into one of the categories
authorized above. (U)

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4. Other options, which would require use of the Director of Central Intelligence's (DCI) authority to set pay, can be structured around the principles contained in either the Title 5 AUO, or the FS Special Allowance. Some possibilities include:

(a) Adoption of AUO with the premium pay percentage tied to Agency-determined threshold levels.

(b) Adoption of a station premium based on categorization of the workload of stations. This option would require elimination of current AUO procedures in use by OTS, OSO, OS, etc., and designation of positions which would be covered. It would also result in stratification of stations; however, the same thing happens with Danger Pay and Post Differentials which are both based on the post environment.

(c) Develop an "extended day" premium pay patterned somewhat after the State Special Allowance, in which the Chief of Station could designate certain positions which meet minimum threshold overtime criteria. This approach would reduce reporting requirements and would provide a mechanism for compensating DO officers without resorting to hourly time keeping. It would, however, require clearance with our oversight committees, assuming the Office of General Counsel (OGC) has no legal objections, and will require modification of the payroll system to track its use. As with AUO, records will probably have to be maintained in a separate data base until introduction of the new payroll system in 1987. (U)

B. Special Pay Categories

1. When the study of high-tech occupations in the Agency was conducted last year, we looked at Automated Data Processing (ADP)-related occupations. However, two factors made it impossible to draw any firm conclusions on the need for special pay rates for ADP occupations. First, the National Photographic Interpretation Center (NPIC) was undergoing a contracting-out exercise in its ADP area, thereby creating an abnormal attrition picture as their employees left to take positions with contractors. Second, the Office of Data Processing (ODP) was scheduled for a complete Position Management and Compensation Division (PMCD) survey, so there was considerable question as to the final grade structure of the organization. Based on these considerations, it was decided that a study of pay in the ADP field would be deferred until completion of the ODP survey in February 1985. PMCD is just about to wrap up the ODP survey now,

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so we have begun to collect new data on recruitment and retention in the field. We are expecting the latest pay survey of private sector ADP occupations in the next few weeks and will use these to assess Agency pay practices in the ADP field. We expect to have comprehensive recommendations on Agency ADP pay by late April 1985. (U)

2. Another area we might look at for a special pay schedule is Career Trainees (CT). Currently, we are hiring new CTs at GS-09 through GS-11 levels, based on experience and salary demands. While these employees generally have a strong background in areas outside the Agency, in most cases it is not directly applicable to the position they are hired for. Therefore, to meet salary demands we are bringing these people in at grade levels above those which adequately reflect their immediate value to the Agency. Furthermore, the high entry on duty (EOD) grade levels raise employee expectations for faster promotions to full performance and service levels so that the Agency is either pressed toward moving these employees to the full performance level before their experience would dictate, or holds them to a slower growth rate which leads to employee dissatisfaction. Use of a special schedule for CTs could alleviate the need for the higher EOD grade levels by establishing the needed salary levels at lower grade levels, just as we have done with engineers and physical scientists. Thus, we would be able to offer salaries needed to attract our CTs, and would be able to offer career growth through promotion over a longer period of time for those we hire. (U)



25X1

11 January 1985

MEMORANDUM FOR: Director of Personnel

FROM: Harry E. Fitzwater
Deputy Director for Administration

SUBJECT: Action Items from [REDACTED]

25X1
25X1

25X1 1. As mentioned at the DDA Staff Meeting, there are certain action items that resulted from the [REDACTED] which your Office should address soonest:

a. Determine whether we can legally use an employment organization for hiring Agency employees. If so, we should try working with a firm on an experimental basis. If it works, then we can expand. I know you have already taken action to determine the legality of this proposal.

b. It is requested that you work with D/OTE in selecting some "high visibility and articulate" person from OTE that can work with the recruiters and their interface with the universities in selling the benefits of Agency training.

c. In your four categories of best sources for applicants, the DDI wants statistics as to how that Directorate does in each of these categories. Would you please see if you can go back a year and break it out or is it too difficult? 25X1

d. The DCI has no problem with posting CIA employees' names who are alumni at universities as long as the names provided to the placement officers are not those under cover and are agreeable with the individuals. [REDACTED]

PMCD e. The DCI and the group believe we should look at putting more hard-to-get personnel on special pay. Please determine who should go on the list and get back to me.

f. You should prepare a proposal on paying tuition for selected individuals in graduate programs. The DCI seems receptive to this idea.

g. Suggest you work with D/OTE in looking at the feasibility of a Brookings-type seminar for Executive Officers from Fortune 500.

PMCD h. Provide a proposal for premium pay for DO officers overseas to compensate for the long hours they work and the fact that some DA and S&T officers are receiving overtime. Since the DDO is not too receptive to this idea, suggest that it not be worked with the DO staff until we have tried your proposal on the DDO and ADDO. (C) *Good*

2. In accordance with the DCI's guidance to "accelerate the tempo and move it-- get it done," please provide to me your answers at your earliest convenience. (U)

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Premium Pay in Lieu of Hourly Overtime Pay
for Administratively Uncontrollable Overtime

D/Pers 85-0699

FROM:

C/PMCD/OP

5N11

EXTENSION

NO.

DATE

31 JAN 1985

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. DD/PA&E
5N19

Has copy

2.

Source - log in

3. EO-D/OP
6N20

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5. D/OP
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6.

PA-E

19 FEB 1985

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DD & say No

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8. C/PMCD

20 FEB 1985

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LET'S DISCUSS EDS
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ON MEMO. TRY FOR
11:00 A.M. ON MON, 25 FEB.

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USE PREVIOUS
EDITIONS

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